

AMENDED IN ASSEMBLY APRIL 4, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 768

Introduced by Assembly Member Nation
(Coauthors: Assembly Members Bermudez and Levine)
(Coauthor: Senator Cedillo)

February 18, 2005

An act to add Section 54.9 to the Civil Code, relating to touch-screen devices.

LEGISLATIVE COUNSEL'S DIGEST

AB 768, as amended, Nation. Touch-screen devices.

Under existing law, individuals with certain disabilities are entitled to equal access rights to various facilities. Existing law requires certain existing point-of-sale systems that include a video touch screen or nontactile keypad to be equipped, on or before January 1, 2010, with a tactually discernible numerical keypad meeting specified requirements that enables a visually impaired person to enter personal information necessary to process a transaction.

This bill would require ~~an existing~~ *any* touch-screen device that is accessible by the general public and provides either personal or public information to ~~be equipped~~ *contain*, on or before ~~an unspecified date,~~ *with January 1, 2010*, the necessary technology, *as defined*, to enable a visually impaired person to access the device.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares the following:

(a) While the advancement of digital technology has provided numerous conveniences and expediciencies in many aspects of our personal and professional lives, it has also introduced numerous obstacles.

(b) Touch-screen devices, especially point-of-sale devices in most retail outlets, transportation facilities, and entertainment venues, present hindrances to blind and visually impaired people. They have created an environment in which blind and visually impaired citizens are not allowed to shop independently and are often put in situations where their safety and security are severely compromised.

(c) The widespread implementation of touch-screen devices is completely inaccessible to the estimated 10 million blind and visually impaired people currently living in the United States.

(d) The number of people excluded from using this technology will grow sharply in the next few decades as the aging population increases and more people experience vision loss due to complications of diabetes and other ailments.

(e) The use of this rapidly expanding technology requires the consumer to possess well functioning eyesight, particularly when tactile keypads are replaced with smooth, touch-screen windows.

(f) Recent laws have been approved to address the need for accessibility to touch screen-devices in several different industries; however, the growth of touch-screens in many other industries continues.

(g) With the growth of this technology, uniform standards are needed for nonaudible touch-screen devices used by the public.

SEC. 2. Section 54.9 is added to the Civil Code, to read:

54.9. (a) On or before January 1, 2010, any ~~existing~~ touch-screen device that is accessible by the general public and provides either personal or public information shall ~~be equipped with the~~ contain necessary ~~technology to enable a visually impaired person to access the device.~~ technology.

(b) For purposes of this section, “necessary technology” means an audio component that provides instructions to a

- 1 *visually impaired person to enable that person to access the*
- 2 *device.*
- 3 *(c) This section shall not apply to “point-of-sale devices” as*
- 4 *defined in Section 13082 of the Financial Code.*

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